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11/25/96

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Bucala et al.

Serial No.: 08/243,342

Group Art Unit: 1804

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SEP 11 1997

Filed: March 15, 1994

Examiner: P. Twomey

GROUP 1800

For: INHIBITION OF MIGRATION Attorney Docket No. 7815-008
INHIBITORY FACTOR IN THE
TREATMENT OF DISEASES
INVOLVING CYTOKINE-
MEDIATED TOXICITY

#217R
9/17/97

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56 and § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. § 1.156 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to the references listed below and on the attached revised form PTO 1449. Legible copies of these references are being submitted herewith.

Identification of the listed references is not to be construed as an admission of the Applicants or Attorneys for Applicants that the references are available as "prior art"

EXPRESS MAIL CERTIFICATION

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Date of Deposit NOVEMBER 25, 1996

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

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PENY3-499265.1

against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith a "revised form PTO-1449" entitled "List of References Cited" instead of "List of Prior Art Cited."

LIST OF REFERENCES

A. U.S. Patent Documents

- BX U.S. Patent No. 4,946,674 by von Eichhorn et al., issued August 7, 1990
- BY U.S. Patent No. 4,708,937 by Remold, issued November 24, 1987
- BZ U.S. Patent No. 4,299,814 by Brandt et al., issued November 10, 1981

B. Foreign Patent Documents

- CA WO 96/15242, published May 23, 1996
- CB WO 96/09389, published March 28, 1996
- CC WO 95/31468, published November 23, 1995
- CD WO 90/11301, published October 4, 1990
- CE 2-219586 Japan, published September 3, 1990
- CF 0 162 812 EPO, published November 27, 1985
- CG 230 876 Germany, published December 11, 1985

References CE, CF and CG are not in the English language; therefore, as required by 37 C.F.R. §1.98(a)(3), a concise explanation of the relevance of each of these documents is provided herewith. A copy of an English language abstract for each of the foreign language documents is also provided for the Examiner's convenience.

Reference CE, Japanese Patent JP2219586, describes methods of isolating the human migration inhibitory factor.

Reference CG, German Patent DD230876, describes monoclonal antibodies to migration inhibitory factor and methods of producing such antibodies.

Reference CF, EPO Patent 162812, describes purified migration inhibitory factor and its use to increase resistance to infection and to tumors.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the captioned application.

Pursuant to 37 C.F.R. §1.97(b)(1), this Supplemental Information Disclosure Statement is filed prior to the mailing date of the first Office Action on the merits; therefore no fee is required. However, if a fee is required, please charge the required fee to Pennie & Edmonds Deposit Account No. 16-1150.

Respectfully submitted,

Date November 25, 1996

 30,742
Laura A. Coruzzi (Reg. No.)

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Enclosure